IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

ENDL et al.

Atty. Docket No.: 100564-09014

Application Number: US 09/343,406

Group Art Unit: 1644

Filed: June 30, 1999

Examiner: M. DiBrino

For: ANTIGEN-SPECIFIC ACTIVATED T-LYMPHOCYTES, DETECTION AND USE

STATEMENT UNDER 37 C.F.R. § 1.821

Commissioner of Patents
Washington, D.C. 20231

April 16, 2002

Sir:

In accordance with 37 C.F.R. § 1.821 and in accordance with the Examiner's request, Applicant hereby resubmits the Sequence Listing for the above-referenced application in paper copy and computer readable form.

The name of the file on the computer readable form is 100564-09014.txt. The paper copy and computer readable form are the same, and no new matter has been added.

In the event that this paper is not considered timely filed, Applicant hereby petitions for an appropriate extension of time. If necessary, please charge any additional amounts or credit any overpayments to Direct Deposit Account Number 01-2300 referring to client matter number 100564-09014.

Respectfully Submitted,

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC

D. Daniel Dzara, II
Reg. No. 47,543
Attorney for Applicant

Arent Fox Kintner Plotkin & Kahn, PLLC
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5339
(202) 857-6000
(202) 857-6395 (fax)

Enclosures:
- Sequence Listing on Diskette
- Sequence Listing in Paper Form
- Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures
- Petition for Extension of Time for One Month

RAW SEQUENCE LISTING
ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: _09/343,406A_

Source: _1600_

Date Processed by STIC: _1/16/2002_

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.
PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:
1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY
FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.
PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)
PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO **REDUCE** ERRORED SEQUENCE LISTINGS, **PLEASE** USE THE **CHECKER VERSION 3.1 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:
http://www.uspto.gov/web/offices/pac/checker

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.
Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom, including:
1. EFS-Bio (<http://www.uspto.gov/ebc/efs/downloads/documents.htm>, **EFS Submission User Manual - ePAVE**)
2. U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. **Hand Carry** directly to:
   U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
      Or
   U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. **Federal Express, United Parcel Service, or other delivery service** t : U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Raw Sequence Listing Error Summary

ERROR DETECTED   **SUGGESTED CORRECTION**   SERIAL NUMBER: _09/343,406 A_

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

1____Wrapped Nucleics   The number/text at the end of each line "wrapped" down to the next line. This may occur if your file
       Wrapped Aminos   was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will
        prevent "wrapping."

2____Invalid Line Length   The rules require that a line not exceed 72 characters in length. This includes white spaces.

3____Misaligned Amino   The numbering under each 5ᵗʰ amino acid is misaligned. Do not use tab codes between numbers;
       Numbering   use space characters, instead.

4____Non-ASCII   The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please
        ensure your subsequent submission is saved in ASCII text.

5 ____Variable Length   Sequence(s) _1_ contain n's or Xaa's representing more than one residue. **Per Sequence Rules,**
        each n or Xaa can only represent a single residue. Please present the maximum number of each
        residue having variable length and indicate in the <220>-<223> section that some may be missing.

6____PatentIn 2.0   A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid
       "bug"   sequences(s) _____. Normally, PatentIn would automatically generate this section from the
        previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to
        the subsequent amino acid sequence. **This applies to the mandatory <220>-<223> sections for**
        Artificial or Unknown sequences.

7____Skipped Sequences   Sequence(s) _____ missing. If intentional, please insert the following lines for each skipped sequence:
       (OLD RULES)   (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
           (i)   SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)
        (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
        This sequence is intentionally skipped

        Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.

8____Skipped Sequences   Sequence(s) _____ missing. If intentional, please insert the following lines for each skipped sequence.
       (NEW RULES)   <210> sequence id number
        <400> sequence id number
        000

9____Use of n's or Xaa's   Use of n's and/or Xaa's have been detected in the Sequence Listing.
       (NEW RULES)   Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.
        In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.

10____Invalid <213>   Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or
       Response   scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or
        is Artificial Sequence

11____Use of <220>   Sequence(s) _____ missing the <220> "Feature" and associated numeric identifiers and responses.
        Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or
        "Unknown." Please explain source of genetic material in <220> to <223> section.
        (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)

12____PatentIn 2.0   Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file,
       "bug"   resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence
        listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.

13____Misuse of n   n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent
        any value not specifically a nucleotide.

AMC/MH – Biotechnology Systems Branch – 08/21/2001

RAW SEQUENCE LISTING   DATE: 01/16/2002
PATENT APPLICATION: US/09/343,406A   TIME: 13:10:58

Input Set : A:\100564-09014.txt
Output Set: N:\CRF3\01162002\I343406A.raw

```
   3 <110> APPLICANT: Endl, Josef
   4        Stahl, Peter
   5        Albert, Winfried
   6        Jung, Guenther-Gerhard
   7        Schendel, Dolores
   8        Meinl, Edgar
   9        Dornmair, Klaus
  11 <120> TITLE OF INVENTION: ANTIGEN-SPECIFIC ACTIVATED T-LYMPHOCYTES, DETECTION AND USE
  13 <130> FILE REFERENCE: 100564-09014
  15 <140> CURRENT APPLICATION NUMBER: 09/343,406A
  16 <141> CURRENT FILING DATE: 1999-06-30
  18 <150> PRIOR APPLICATION NUMBER: 08/967,242
  19 <151> PRIOR FILING DATE: 1997-11-05
  21 <150> PRIOR APPLICATION NUMBER: 08/374,468
  22 <151> PRIOR FILING DATE: 1995-01-18
  24 <150> PRIOR APPLICATION NUMBER: DE P 44 18 091.8
  25 <151> PRIOR FILING DATE: 1994-05-24
  27 <150> PRIOR APPLICATION NUMBER: DE P 44 03 522.5
  28 <151> PRIOR FILING DATE: 1994-02-04
  30 <150> PRIOR APPLICATION NUMBER: DE P 44 01 629.8
  31 <151> PRIOR FILING DATE: 1994-01-20
  34 <160> NUMBER OF SEQ ID NOS: 39
  36 <170> SOFTWARE: PatentIn version 3.1
  38 <210> SEQ ID NO: 1
  39 <211> LENGTH: 8
  40 <212> TYPE: PRT
  41 <213> ORGANISM: Homo sapiens
  43 <220> FEATURE:
  44 <221> NAME/KEY: MISC_FEATURE
  45 <222> LOCATION: (1)..(1)
  46 <223> OTHER INFORMATION: "X" is an optional sequence selected from 1 to 10 amino acids
  49 <400> SEQUENCE: 1
  51 Xaa Pro Glu Val Lys Thr Lys Glx
  52 1               5
  55 <210> SEQ ID NO: 2
  56 <211> LENGTH: 25
  57 <212> TYPE: PRT
  58 <213> ORGANISM: Homo sapiens
  60 <400> SEQUENCE: 2
  62 Gly Met Ala Ala Leu Pro Arg Leu Ile Ala Phe Thr Ser Glu His Ser
  63 1               5                  10                  15
  66 His Phe Ser Leu Lys Lys Gly Ala Ala
  67               20                  25
  70 <210> SEQ ID NO: 3
  71 <211> LENGTH: 20
  72 <212> TYPE: PRT
  73 <213> ORGANISM: Homo sapiens
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W--> 51 (Xaa) ... 52 1

see item 5 on Error Summary Sheet

(circled: 1 to 10 amino acids)

RAW SEQUENCE LISTING   DATE: 01/16/2002
PATENT APPLICATION: US/09/343,406A   TIME: 13:10:58

Input Set : A:\100564-09014.txt
Output Set: N:\CRF3\01162002\I343406A.raw

```
 75 <400> SEQUENCE: 3
 77 Glu Arg Gly Lys Met Ile Pro Ser Asp Leu Glu Arg Arg Ile Leu Glu
 78 1               5                   10                  15
 81 Ala Lys Gln Lys
 82              20
 85 <210> SEQ ID NO: 4
 86 <211> LENGTH: 14
 87 <212> TYPE: PRT
 88 <213> ORGANISM: Homo sapiens
 90 <400> SEQUENCE: 4
 92 Leu Pro Arg Leu Ile Ala Phe Thr Ser Glu His Ser His Phe
 93 1               5                   10
 96 <210> SEQ ID NO: 5
 97 <211> LENGTH: 20
 98 <212> TYPE: PRT
 99 <213> ORGANISM: Homo sapiens
101 <400> SEQUENCE: 5
103 Gly Met Ala Ala Leu Pro Arg Leu Ile Ala Phe Thr Ser Glu His Ser
104 1               5                   10                  15
107 His Phe Ser Leu
108              20
111 <210> SEQ ID NO: 6
112 <211> LENGTH: 20
113 <212> TYPE: PRT
114 <213> ORGANISM: Homo sapiens
116.<400> SEQUENCE: 6
118 Ala Leu Pro Arg Leu Ile Ala Phe Thr Ser Glu His Ser His Phe Ser
119 1               5                   10                  15
122 Leu Lys Lys Gly
123              20
126 <210> SEQ ID NO: 7
127 <211> LENGTH: 20
128 <212> TYPE: PRT
129 <213> ORGANISM: Homo sapiens
131 <400> SEQUENCE: 7
133 Arg Leu Ile Ala Phe Thr Ser Glu His Ser His Phe Ser Leu Lys Lys
134 1               5                   10                  15
137 Gly Ala Ala Ala
138              20
141 <210> SEQ ID NO: 8
142 <211> LENGTH: 20
143 <212> TYPE: PRT
144 <213> ORGANISM: Homo sapiens
146 <400> SEQUENCE: 8
148 Pro Glu Val Lys Glu Lys Gly Met Ala Ala Leu Pro Arg Leu Ile Ala
149 1               5                   10                  15
152 Phe Thr Ser Glu
153              20
156 <210> SEQ ID NO: 9
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157 <211> LENGTH: 18
158 <212> TYPE: PRT
159 <213> ORGANISM: Homo sapiens
161 <400> SEQUENCE: 9
163 Ala Ala Leu Pro Arg Leu Ile Ala Phe Thr Ser Glu His Ser His Phe
164 1               5                   10                  15
167 Ser Leu
171 <210> SEQ ID NO: 10
172 <211> LENGTH: 16
173 <212> TYPE: PRT
174 <213> ORGANISM: Homo sapiens
176 <400> SEQUENCE: 10
178 Ala Ala Leu Pro Arg Leu Ile Ala Phe Thr Ser Glu His Ser His Phe
179 1               5                   10                  15
182 <210> SEQ ID NO: 11
183 <211> LENGTH: 14
184 <212> TYPE: PRT
185 <213> ORGANISM: Homo sapiens
187 <400> SEQUENCE: 11
189 Ala Ala Leu Pro Arg Leu Ile Ala Phe Thr Ser Glu His Ser
190 1               5                   10
193 <210> SEQ ID NO: 12
194 <211> LENGTH: 14
195 <212> TYPE: PRT
196 <213> ORGANISM: Homo sapiens
198 <400> SEQUENCE: 12
200 Ala Ala Leu Pro Arg Leu Ile Ala Phe Thr Ser Glu His Ser
201 1               5                   10
204 <210> SEQ ID NO: 13
205 <211> LENGTH: 14
206 <212> TYPE: PRT
207 <213> ORGANISM: Homo sapiens
209 <400> SEQUENCE: 13
211 Gly Met Ala Ala Leu Pro Arg Leu Ile Ala Phe Thr Ser Glu
212 1               5                   10
215 <210> SEQ ID NO: 14
216 <211> LENGTH: 12
217 <212> TYPE: PRT
218 <213> ORGANISM: Homo sapiens
220 <400> SEQUENCE: 14
222 Gly Met Ala Ala Leu Pro Arg Leu Ile Ala Phe Thr
223 1               5                   10
226 <210> SEQ ID NO: 15
227 <211> LENGTH: 18
228 <212> TYPE: PRT
229 <213> ORGANISM: Homo sapiens
231 <400> SEQUENCE: 15
233 Leu Pro Arg Leu Ile Ala Phe Thr Ser Glu His Ser His Phe Ser Leu
234 1               5                   10                  15
```

RAW SEQUENCE LISTING   DATE: 01/16/2002
PATENT APPLICATION: US/09/343,406A   TIME: 13:10:58

Input Set : A:\100564-09014.txt
Output Set: N:\CRF3\01162002\I343406A.raw

```
237 Lys Lys
241 <210> SEQ ID NO: 16
242 <211> LENGTH: 14
243 <212> TYPE: PRT
244 <213> ORGANISM: Homo sapiens
246 <400> SEQUENCE: 16
248 Arg Leu Ile Ala Phe Thr Ser Glu His Ser His Phe Ser Leu
249 1               5                   10
252 <210> SEQ ID NO: 17
253 <211> LENGTH: 14
254 <212> TYPE: PRT
255 <213> ORGANISM: Homo sapiens
257 <400> SEQUENCE: 17
259 Leu Pro Arg Leu Ile Ala Phe Thr Ser Glu His Ser His Phe
260 1               5                   10
263 <210> SEQ ID NO: 18
264 <211> LENGTH: 12
265 <212> TYPE: PRT
266 <213> ORGANISM: Homo sapiens
268 <400> SEQUENCE: 18
270 Leu Pro Arg Leu Ile Ala Phe Thr Ser Glu His Ser
271 1               5                   10
274 <210> SEQ ID NO: 19
275 <211> LENGTH: 14
276 <212> TYPE: PRT
277 <213> ORGANISM: Homo sapiens
279 <400> SEQUENCE: 19
281 Ile Leu Ile Lys Cys Asp Glu Arg Gly Lys Met Ile Pro Ser
282 1               5                   10
285 <210> SEQ ID NO: 20
286 <211> LENGTH: 14
287 <212> TYPE: PRT
288 <213> ORGANISM: Homo sapiens
290 <400> SEQUENCE: 20
292 Leu Gly Ile Gly Thr Asp Ser Val Ile Leu Ile Lys Cys Asp
293 1               5                   10
296 <210> SEQ ID NO: 21
297 <211> LENGTH: 14
298 <212> TYPE: PRT
299 <213> ORGANISM: Homo sapiens
301 <400> SEQUENCE: 21
303 Leu Ala Phe Leu Gln Asp Val Met Asn Ile Leu Leu Gln Tyr
304 1               5                   10
307 <210> SEQ ID NO: 22
308 <211> LENGTH: 14
309 <212> TYPE: PRT
310 <213> ORGANISM: Homo sapiens
312 <400> SEQUENCE: 22
314 Tyr Asp Leu Ser Tyr Asp Thr Gly Asp Lys Ala Leu Gln Cys
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315 1               5                    10
318 <210> SEQ ID NO: 23
319 <211> LENGTH: 14
320 <212> TYPE: PRT
321 <213> ORGANISM: Homo sapiens
323 <400> SEQUENCE: 23
325 Val Ser Tyr Gln Pro Leu Gly Asp Lys Val Asn Phe Phe Arg
326 1               5                    10
329 <210> SEQ ID NO: 24
330 <211> LENGTH: 14
331 <212> TYPE: PRT
332 <213> ORGANISM: Homo sapiens
334 <400> SEQUENCE: 24
336 Leu Ala Ala Asp Trp Leu Thr Ser Thr Ala Asn Thr Asn Met
337 1               5                    10
340 <210> SEQ ID NO: 25
341 <211> LENGTH: 14
342 <212> TYPE: PRT
343 <213> ORGANISM: Homo sapiens
345 <400> SEQUENCE: 25
347 Leu Leu Tyr Gly Asp Ala Glu Lys Pro Ala Glu Ser Gly Gly
348 1               5                    10
351 <210> SEQ ID NO: 26
352 <211> LENGTH: 14
353 <212> TYPE: PRT
354 <213> ORGANISM: Homo sapiens
356 <400> SEQUENCE: 26
358 Val Asn Tyr Ala Phe Leu His Ala Thr Asp Leu Leu Pro Ala
359 1               5                    10
362 <210> SEQ ID NO: 27
363 <211> LENGTH: 14
364 <212> TYPE: PRT
365 <213> ORGANISM: Homo sapiens
367 <400> SEQUENCE: 27
369 Leu Leu Gln Tyr Val Val Lys Ser Phe Asp Arg Ser Thr Lys
370 1               5                    10
373 <210> SEQ ID NO: 28
374 <211> LENGTH: 14
375 <212> TYPE: PRT
376 <213> ORGANISM: Homo sapiens
378 <400> SEQUENCE: 28
380 Phe Thr Tyr Glu Ile Ala Pro Val Phe Val Leu Leu Glu Tyr
381 1               5                    10
384 <210> SEQ ID NO: 29
385 <211> LENGTH: 14
386 <212> TYPE: PRT
387 <213> ORGANISM: Homo sapiens
389 <400> SEQUENCE: 29
391 Leu Glu Tyr Val Thr Leu Lys Lys Met Arg Glu Ile Ile Gly
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VERIFICATION SUMMARY   DATE: 01/16/2002
PATENT APPLICATION: **US/09/343,406A**   TIME: 13:10:59

Input Set : **A:\100564-09014.txt**
Output Set: **N:\CRF3\01162002\I343406A.raw**

L:51 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1

Attachment for PTO-948 (Rev. 03/01, or earlier) 6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings MUST be filed within the THREE MONTH shortened statutory period set for reply in the Notice of Allowability. Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, MUST be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings MUST be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.

06/01/01